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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 DEBRA BAREFIELD,) Case No.: 1:21-cv-0613- NONE JLT
12 Plaintiff,)
13 v.) ORDER DIRECTING THE CLERK OF COURT
14 HSBC MORTGAGE SERVICES, INC., et al.,) TO CLOSE THIS ACTION AS TO
15 Defendants.) DEFENDANT HSBC MORTGAGE SERVICES,
) INC., AND TO UPDATE THE DOCKET
) (Doc. 54)
16)

17 Plaintiff filed a Notice of Dismissal, indicating she “dismis[s]e[d] Defendant HSBC Mortgage
18 Services, Inc., as a party defendant to this action without prejudice.” (Doc. 54 at 1, emphasis omitted.)
19 Pursuant to Rule 41(a)(1)(A) of the Federal Rules of Procedure, “the plaintiff may dismiss an action
20 without a court order by filing ... a notice of dismissal before the opposing party serves either an
21 answer or a motion for summary judgment.” Because the defendant had not appeared or filed an
22 answer, the claims against HSBC Mortgage Services, Inc. were automatically terminated. *Id.*
23 Accordingly, the Clerk of Court is **DIRECTED** to close this action only as to Defendant HSBC
24 Mortgage Services, Inc., and update the docket.

25
26 IT IS SO ORDERED.

27 Dated: October 29, 2021

28 /s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE